

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:07-CR-00094-RJC-SCR

USA

v.

JOHN LYNN LATTAKER

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ORDER

**THIS MATTER** is before the Court upon another motion of the defendant pro se for reconsideration. (Doc. No. 93). The Court previously denied of his motion for a sentence reduction under Amendment 821, (Doc. No. 89: Order), and his motion to reconsider that denial, (Doc. No. 92: Amended Order),

In the instant motion, the defendant claims he is entitled to “a plenary re-sentence” pursuant to Concepcion v. United States, 142 S. Ct. 2389 (2022). In that case, the Supreme Court held that district courts may consider intervening changes in the law in exercising their discretion to reduce sentences for certain crack cocaine offenses pursuant to the First Step Act. Id. at 2396, 2404. Here, the defendant was convicted of robbery and firearms charges and has not shown he is eligible for a sentence reduction. Accordingly, Concepcion does not alter the Court’s ruling.

**IT IS, THEREFORE, ORDERED** that the defendant’s motion, (Doc. No. 93), is **DISMISSED**. The Clerk is directed to certify copies of this Order to the defendant and the United States Attorney.

Signed: January 6, 2025



Robert J. Conrad, Jr.  
United States District Judge

